IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.32128 of 2008
MUMTAJ @ CHHOTU MIAN @ RAJU MIAN SON OF LATE KARAMAT MIAN
RESIDENT OF CHURIHARA MOHALLA GARHWA,P.S.GARHWA,DISTRICT GARHWA (JHARKHAND)
Versus
STATE OF BIHAR

3/ 5.12.2008 Heard learned counsel for the parties.

The petitioner is an accused of a case which has been registered for offences under Sections 395 and 397 of the Indian Penal Code against six unknown criminals.

A dacoity was committed and Rs.13,29,270/- was taken away by the criminals and in the said occurrence three persons were also fired upon and injured.

Submission is that the petitioner is not named in the first information report, he has not been put on test identification parade and except confessional statement of co-accused, there is nothing against him and the person who named this petitioner has been granted bail. Further submission is that the petitioner was in jail custody in another case of N.D.P.S.Act and he has been remanded in this case on 4.4.2008. It is also stated that a number co-accused namely, Santosh Kumar Sah, Shyam Sundar Paswan alias Chhotan Paswan, Birju Sah, Mahavir Yadav alias Santosh Yadav, Saroj Paswan alias Saroj Kumar Paswan, Shahi Paswan alias Pawan Kumar Pankaj, Joha Paswan, Uma Paswan and Jwala Sah have been granted bail by different orders of this Court.

Considering the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten

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thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas (Sasaram) in Sheosagar P.S.Case No. 85 of 2005.

Tahir/- **(Shyam Kishore Sharma, J.)**

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